

TFW

PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/805,967-Conf. #2753
		Filing Date	March 22, 2004
		First Named Inventor	Dennis Colleran
		Art Unit	3732
		Examiner Name	A. R. Reimers
Total Number of Pages in This Submission	8	Attorney Docket Number	65677/P004US/10403105

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Certificate of Mailing Information Disclosure Statement by Applicant 2 Out of 46 Cited References Check in the amount \$180.00 2 Return Receipt Postcards
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Craig J. Cox		
Date	September 15, 2006	Reg. No.	39,643



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<b>Effective on 12/08/2004.</b> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/805,967-Conf. #2753	
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	March 22, 2004	
(\$)		180.00	First Named Inventor	Dennis Colleran
		Examiner Name	A. R. Reimers	
		Art Unit	3732	
		Attorney Docket No.	65677/P004US/10403105	

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input type="checkbox"/> Deposit Account	Deposit Account Number: 06-2380
Deposit Account Name: Fulbright & Jaworski L.L.P.	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
<b>2. EXCESS CLAIM FEES</b>							
						<u>Small Entity</u>	
						<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
_____ - = _____		x _____	= _____		<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
HP = highest number of total claims paid for, if greater than 20.				_____			
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - = _____		x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3.				_____			
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>		<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
_____ - 100 = _____		/50	_____ (round up to a whole number) x _____		= _____	_____	
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)						<b>Fees Paid (\$)</b>	
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement						180.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	39,643
Name (Print/Type)	Craig J. Cox	Telephone	(214) 855-7142
		Date	September 15, 2006



Docket No.:  
65677/P004US/10403105  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Dennis Colleran et al.

Application No.: 10/805,967

Confirmation No.: 2753

Filed: March 22, 2004

Art Unit: 3732

For: CLOSURE MEMBER FOR A MEDICAL  
IMPLANT DEVICE

Examiner: A. R. Reimers

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Information Disclosure Statement by Applicant (in place of PTO-1449 Form). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify, pursuant to 37 CFR 1.97(e)(2), that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was

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180.00 DP

known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).


In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380, under Order No. 65677/P004US/10403105.

Dated: September 15, 2006

Respectfully submitted,

By 

Craig J. Cox  
Registration No.: 39,643  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201-2784  
(214) 855-7142  
(214) 855-8200 (Fax)  
Attorney for Applicant



PTO/SB/92 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. : 10/805,967

Attorney Docket No.: 65677/P004US/10403105

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450  
Alexandria, VA 22313-1450

on September 15, 2006  
Date

Signature

Scott Matthews

Typed or printed name of person signing Certificate

N/A

Registration Number, if applicable

(214) 855-7415

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Certificate of Mailing (1 page)  
Transmittal (1 page)  
Information Disclosure Statement (2 pages)  
Information Disclosure Statement by Applicant (3 pages)  
2 Out of 46 Cited References  
Fee Transmittal (1 page)  
Check in the amount of \$180.00  
2 Return Postcards

In place of PTO-1449 Form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;">           SEP 18 2006            RECEIVED         </div>	Complete if Known
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number      10/805,967
		Filing Date                03/22/2004
		First Named Inventor      Colleran, Dennis
		Art Unit                      3733
		Examiner Name              Reimers, Annette R.
SHEET      1      OF      3		Attorney Docket Number    03-002-US1 (65677/P004US/10403105)

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US2004/0138662	07/15/2004	Landry, Michael E.
		US2004/0236330	11/25/2004	Purcell, Thomas
		US2004/0254574	12/16/2004	Morrison, Matthew M.
		US2004/0260283	12/23/2004	Wu, Shing-Cheng
		US2004/0260284	12/23/2004	Parker, Matthew
		US2004/0260285	12/23/2004	Steib, Jean-Paul
		US2004/0260287	12/23/2004	Ferree, Bret A.
		US2005/0033436	02/10/2005	Sehlapfer, Fridolin
		US2005/0070899	03/31/2005	Doubler, Robert L.
		US2005/0070901	03/31/2005	David, Jerome
		US2005/0080415	04/14/2005	Keyer, Thomas R.
		US2005/0080419	04/14/2005	Donath, Raoul
		US2005/0080420	04/14/2005	Farris, Robert A.
		US2005/0090833	04/28/2005	DiPoto, Gene
		US2005/0096653	05/05/2005	Doubler, Robert L.
		US2005/0096654	05/05/2005	Lin, Chih-I
		US2005/0113833	05/26/2005	Davison, Thomas W.
		US2005/0119658	06/02/2005	Ralph, James D.
		US2005/0131404	06/16/2005	Maxda, Keyvan
		US2005/0131410	06/16/2005	Lin, Chih-I

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document <small>(Country Code - Number - Kind)</small>	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
		EP1119304	12/07/2005	Yuan, Hansen	
		WO03/015648 A1	02/27/2003	McKinley, Laurence M.	

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

In place of PTO-1449 Form	<b>U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>	<i>Complete if Known</i>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/805,967		
		Filing Date	03/22/2004		
		Applicant(s)	Colleran, Dennis		
		Art Unit	3733		
		Examiner Name	Reimers, Annette R.		
SHEET	2	OF	3	Attorney Docket Number	03-002-US1 (65677/P004US/10403105)

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date <small>MM-DD-YYYY</small>	Name of Patentee or Applicant of Cited Document
		US2005/0131545	06/16/2005	Chervitz, Alan
		US2005/0137594	06/23/2005	Doubler, Robert L.
		US2005/0149023	07/07/2005	Ritland, Stephen
		US2005/0154391	07/14/2005	Doherty, Thomas
		US2005/0154393	07/14/2005	Doherty, Thomas
		US2005/0159750	07/21/2005	Doherty, Thomas
		US2005/0165400	07/28/2005	Fernandez, Alberto Angel
		US2005/0171537	08/04/2005	Mazel, Christian
		US2005/0171538	08/04/2005	Sgier, Frederic
		US2005/0175142	08/04/2005	Biedermann, Lutz
		US2005/0177154	08/11/2005	Moumene, Missoum
		US5,476,464	12/19/1995	Metz-Stavenhagen, Peter
		US5,669,911	09/23/1997	Errico, Joseph P.
		US5,716,355	02/10/1998	Jackson, Roger P.
		US5,879,350	03/09/1999	Sherman, Michael C.
		US6,582,434	06/24/2003	Kawakami, Noriaki
		US6,835,196	12/28/2004	Bierdermann, Lutz
		US6,840,941	01/11/2005	Rogers, Christopher
		US6,843,791	01/18/2005	Serhan, Hassan A.
		US6,887,242	05/03/2005	Doubler, Robert L.

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document <small>(Country Code - Number - Kind)</small>	Publication Date <small>MM-DD-YYYY</small>	Patentee or Applicant of Cited Document	Translation <small>Y/N</small>

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

In place of PTO-1449 Form		U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/805,967
				Filing Date	03/22/2004
				Applicant(s)	Colleran, Dennis
				Art Unit	3733
				Examiner Name	Reimers, Annette R.
SHEET	3	OF	3	Attorney Docket Number	03-002-US1 (65677/P004US/10403105)

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US6,893,443	05/17/2005	Fregg, Robert
		US6,905,500	06/14/2005	Jeon, Chang-Hun
		US6,911,030	06/28/2005	Vanacker, Gerard
		US6,932,817	08/23/2005	Baynham, Bret O'Neal

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.